

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA :
:
: Case No. 07-173 (PGS)

v. :
:
: **MEMORANDUM AND ORDER**
VICTOR MANZO :
:
:
:

WHEREAS, this matter having come before the Court on a motion by defendant, Victor Manzo, for leave to file compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A), and

WHEREAS, the Government has filed opposition to said motion, stating that the motion is improperly before this Court, and

WHEREAS, the Court has reviewed the applicable statutes, and finds that only the Director of the Bureau of Prisons may file a motion pursuant to 18 U.S.C. § 3582(c)(1)(A), and

WHEREAS, the Court finds that the other statute referenced by defendant, 18 U.S.C. § 4205(g), was repealed prior to defendant's sentencing and is therefore not applicable to him,

NOW THEREFORE, IT IS on this 5 day of March, 2009,

ORDERED defendant's Motion for Compassionate Release be and hereby is denied as improperly filed.

March 5, 2009


PETER G. SHERIDAN, U.S.D.J.